

11/29/2005 10:27 FAX 518 452 5579

HESLIN ROTHENBERG

→ USPTO-RESPONSES 003/020



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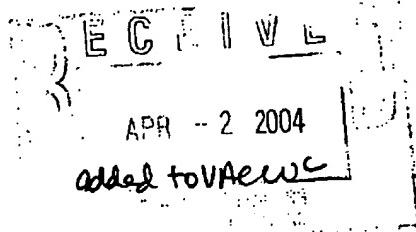
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.						
10/616,030	07/09/2003	Sean Strait	0545.033	1548						
23405	7590	03/30/2004	<i>NATH VAC</i>							
HESLIN ROTHENBERG FARLEY & MESITI PC 5 COLUMBIA CIRCLE ALBANY, NY 12203		<table border="1" style="width: 100%;"><tr><td style="width: 60%;">EXAMINER</td><td style="width: 20%;"></td><td style="width: 20%;"></td></tr><tr><td colspan="3">COMPTON, ERIC B</td></tr></table>			EXAMINER			COMPTON, ERIC B		
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		<table border="1" style="width: 100%;"><tr><td style="width: 60%;">ART UNIT</td><td style="width: 20%;"></td><td style="width: 20%;"></td></tr><tr><td colspan="3">3726</td></tr></table>			ART UNIT			3726		
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DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED 6130/04



PTO-90C (Rev. 10/03)

**Exhibit A**

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	10/616,030	STRAIT, SEAN
	Examiner	Art Unit
	Eric B. Compton	3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to an application filed 7/9/2003.
  2.  The allowed claim(s) is/are 1-23.
  3.  The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
  4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a)  All b)  Some\* c)  None of the:
      1.  Certified copies of the priority documents have been received.
      2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_
- Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.
5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6.  CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
    - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
  7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 7/9/03
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

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Art Unit: 3726

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**EXAMINER'S AMENDMENT****NOV 29 2005**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Victor Cardona on March 24, 2004.

The application has been amended as follows:

In the Specification, Section [0001], line 1, "6,282,639" should read —6,283,639—

Note: the above amendment was made to resolve a minor typographical error with respect to the Pat. Number. See Section [0021] (showing correct patent designation).

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Figure 1 will be labeled --Prior Art--; Figure 4, reference 143 (left) will include an arrow pointing at the roller element. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

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3. The following is an examiner's statement of reasons for allowance: the prior art of record does not teach or suggest a method (or apparatus) for adjusting the spacer of a bearing assembly comprising: a preload regulator comprising first and second portion, and a controller coupled to said first and said second portions to detect an electrical contact between said first and said second portions, in combination with the other claimed subject matter.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric B. Compton whose telephone number is (703) 305-0240. The examiner can normally be reached on M-F, 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter B. Vo can be reached on (703) 308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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24527

  
Eric Compton  
Patent Examiner  
A/U 3726

  
DAVID P. BRYANT  
PRIMARY EXAMINER

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Sheet 1 of 1

<b>INFORMATION DISCLOSURE CITATION</b>	<b>Docket No.:</b> 0545.033	<b>Serial No.</b> Unassigned
	<b>Applicant:</b> Strait	
	<b>Filing Date:</b> Filed Herewith	<b>Group:</b> Unassigned

U.S. PATENT DOCUMENTS

U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
SC	AA	6,327,773 B1	12/11/2001	RODE	29	724	
EC	AB	6,461,051 B1	10/08/2002	RODE	384	551	

## **FOREIGN PATENT DOCUMENTS**

**Other Documents (including Author, Title, Date, pertinent publ. etc.)**

Examiner	Eric Carter	Date Considered	3/29/04
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<b>Notice of References Cited</b>	Application/Control No. 10/616,030	Applicant(s)/Patent Under Reexamination STRAIT, SEAN	
	Examiner Eric B. Compton	Art Unit 3726	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A US-6,446,339	09-2002	Takamizawa et al.	29/898.09
*	B US-6,487,775	12-2002	Rode, John E.	29/898.09
*	C US-6,662,449	12-2003	Rode, John E.	29/898.09
*	D US-6,684,506	02-2004	Rode, John E.	29/898.09
E	US-			
F	US-			
G	US-			
H	US-			
I	US-			
J	US-			
K	US-			
L	US-			
M	US-			

**FOREIGN PATENT DOCUMENTS**

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
N					
O					
P					
Q					
R					
S					
T					

**NON-PATENT DOCUMENTS**

*	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)		
U			
V			
W			
X			

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.